

Application No. 10/715,249

Attorney Docket No. 10541-1878

II. REMARKS

Reconsideration and reexamination of this application in view of the above amendments and the following remarks is herein respectfully requested.

The Office Action and the references cited therein have been carefully considered. After entering these amendments, claims 7-15 remain pending, with claims 1-6 having been canceled and claim 15 having been added.

Claim Objections

Claims 1 and 7 were objected to by Examiner for reciting a sliding panel "generally covering the opening" in line 8 of each claim. Claim 7 has been amended to recite a sliding panel "generally covering the opening." With claim 7 being amended herein, and claim 1 having been canceled, it is believed that the Examiner's objections are now moot and should be withdrawn.

Claim Rejections – 35 U.S.C § 102

Claims 1-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,473,840, to Gillen et al ("Gillen"). With claims 1-6 having been canceled, Applicants respectfully traverse these rejections against all remaining claims.

It is respectfully submitted that Gillen does not disclose first and second surface features that engage each other (when the panel is moved into the closed position) whereupon the features operate to displace the sliding panel toward the fixed panel, with this displacement effecting a compression of bulb seal member *between the fixed panel and the sliding panel*. To the contrary, Gillen shows in Figures 7, 8, 9, 10, 10a, 12 and 13 that when the window is moved into the closed position, only a contact seal is effectuated between the sealing lip and the panel of each of the surrounding segments. The seal is not compressed between a fixed and moveable panel as claimed.

Accordingly, it is submitted that the § 102(b) rejection of all remaining claims based on the Gillen reference should be withdrawn.

Application No. 10/715,249


Attorney Docket No. 10541-1876

Conclusion

It is respectfully submitted that no new matter has been introduced into the application. Furthermore, in view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date


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Attachment: None